

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY DEFOGGI

Defendant.

**8:13CR105**

**ORDER**

This matter is before the Court *sua sponte* regarding a refund of the special assessment for count I, paid by the defendant, Timothy DeFoggi.

On January 5, 2015, the court imposed a \$100.00 special assessment for each guilty count, totaling \$500.00. The Clerk of the Court verified that the defendant has paid the \$500.00 special assessment in full. On October 6, 2016, the Eighth Circuit Court of Appeals, vacated the conviction on count I and remanded the case for resentencing. In light of that ruling, count I of the Indictment was dismissed by the court, entitling the defendant to a refund of \$100.00 of the special assessment fee.

IT IS ORDERED:

1. The Clerk of the Court shall refund \$100.00 to the defendant, Timothy DeFoggi, at his last known address.

Dated this 3rd day of February, 2017.

BY THE COURT:

s/ Laurie Smith Camp  
Chief United States District Judge